

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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OMORUYI EBOMWONYI and OWOLABI : 19-CV-11243 (JMF)
OLOWOOKERE, :
Plaintiffs, : ORDER
-v- :
SEA SHIPPING LINE and MAERSK LINES, :
Defendants. :
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JESSE M. FURMAN, United States District Judge:

Plaintiff Omoruyi Ebomwonyi has filed a motion, styled as a “JOINT MOTION FOR DISCOVERY ET AL CONFERENCE [sic].” To the extent that the motion purports to be brought on behalf of Owolabi Olowookere, it is procedurally improper because, as noted in the Court’s Opinion and Order of July 21, 2020, Ebomwonyi is not permitted to represent Olowookere. *See* ECF No. 52, at 9. In any event, the motion is meritless, as Plaintiffs’ amended complaint was dismissed and there are no claims currently pending. The mere act of filing of a complaint does “not unlock the doors of discovery.” *Ashcroft v. Iqbal*, 556 U.S. 662, 678-79 (2009). It follows that where, as here, the plaintiff has not even filed a complaint, he is not entitled to discovery as of right. Accordingly, the motion is DENIED. All dates and deadlines remain in effect.

The Clerk of Court is directed to terminate ECF No. 54 and to mail this Order to Plaintiffs.

SO ORDERED.

Dated: August 14, 2020
New York, New York


JESSE M. FURMAN
United States District Judge